

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

MARINE TRAVEL LIFT, INC.,  
Plaintiff,  
v.  
SHELTER ISLAND YACHTWAYS,  
LTD.,  
Defendant.

Case No.: 16CV128 BEN (BLM)

**ORDER GRANTING IN PART AND  
DENYING IN PART JOINT  
MOTION TO STAY**

[Docket Nos. 12, 24, 31]

Defendant Shelter Island Yachtways sought to stay this case pending the resolution of a related case proceeding in the Eastern District of Wisconsin, *Marine Travelift, Inc. v. SACOM SpA et al.*, Case No. 14CV443 WCG (E.D. Wis. 2014). (Docket No. 12.) Plaintiff opposed the Motion. On June 27, 2016, the Court set the case for a status conference on July 25, 2016 and ordered the parties to file brief by July 18, 2016 addressing their respective positions on transferring this action to the Eastern District of Wisconsin. (Docket No. 30.) On July 18, 2016, the parties filed a joint motion to stay this action until resolution of the pending district court proceedings in the Wisconsin case. (Docket No. 31.)

“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for

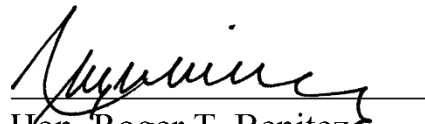
1 itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936).  
 2 The Court recognizes the overlap in the factual and legal issues presented in this case and  
 3 the Wisconsin case and that this case may be resolved more efficiently and expeditiously  
 4 following the Wisconsin district court’s ruling on a pending motion for summary  
 5 judgment. However, the Court is not convinced that this action should be stayed until  
 6 that action is resolved entirely, as requested by the parties. At some point, the efficiency  
 7 benefits will be outweighed by the detriments in delaying the progression of this case.

8 The Court **GRANTS** in part and denies in part the parties’ joint motion to stay.  
 9 The case is stayed, however, the case is only stayed until December 1, 2016 or until the  
 10 Wisconsin court issues its summary judgment ruling, whichever is earlier. If the  
 11 Wisconsin court issues its ruling before December 1, 2016, the parties shall notify this  
 12 Court within 2 days of that ruling and the stay will automatically be lifted as of that date.  
 13 If the summary judgment order is not issued by December 1, 2016, the stay will be lifted  
 14 on that date. The Court notes that the efficiency gains from the stay will need to  
 15 materialize because when the stay is lifted, this case will proceed on an expedited  
 16 schedule.

17 Defendant’s opposed Motion to Stay is **DENIED** as moot. The associated motion  
 18 to file under seal, (Docket No. 24), is **GRANTED**.

19 **IT IS SO ORDERED.**

20 Dated: July 22, 2016

21   
 22 Hon. Roger T. Benitez  
 23 United States District Judge  
 24  
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